

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

No. 96-60022

JEFFERY WILLIAM PAUL

DEFENDANT

ORDER

Now on this 26th day of August, 2013, the above referenced matter comes before the Court for consideration of the **Magistrate Judge's Report and Recommendation** (document #390) and the **Motion to Object to Report & Recommendation, dated 7/22/2013 by Hon. Barry A. Bryant** (document #391). The Court, being well and sufficiently advised, finds and orders as follows:

1. On June 23, 1997, Jeffery William Paul was convicted of murder for the killing of a man in Hot Springs National Park, Hot Springs, Arkansas. Paul was sentenced to death as a result of that conviction in the United States District Court for the Western District of Arkansas.

2. A direct appeal and post-conviction proceedings followed. Counsel was appointed by this Court to represent Paul on all post-conviction matters. Specifically, Robert McGlasson was appointed on January 30, 2002; and, Sean O'Brien was appointed on September 15, 2003. In addition, Jennifer Merrigan was appointed on February 26, 2007 by the United States Court of Appeals for the Eighth Circuit.

3. All three court-appointed counsel remain counsel of record for Paul as of this date.

4. On February 7, 2013, Paul filed a Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255. The motion to vacate was filed pro se. Following that filing, Paul has filed numerous

other miscellaneous motions, all acting pro se. His court-appointed counsel remain his counsel of record in this case, but did not join in any of the recent pro se filings.

5. On July 17, 2013, this Court referred this matter to Honorable Barry A. Bryant, United States Magistrate Judge, for a report and recommendation as to whether the Court should address the pro se filings of Paul when he remains represented by counsel.

6. The instant Report and Recommendation finds that the Court has no obligation to consider pro se filings by litigants represented by counsel and recommends the Court decline to do so in this case going forward.

7. Paul has filed objections to the Report and Recommendation. The objections offer neither law nor fact requiring departure from the Report and Recommendation. Based upon the Magistrate Judge's thorough and well-reasoned comments, the Court finds that there is no merit to Paul's arguments and the same should be overruled.

8. In light of the foregoing, the Report and Recommendation will be approved and adopted as stated.

IT IS THEREFORE ORDERED that Paul's objections, entitled **Motion to Object to Report & Recommendation, dated 7/22/2013 by Hon. Barry A. Bryant** (document #391), **are overruled.**

IT IS FURTHER ORDERED that the **Magistrate Judge's Report and Recommendation** (document #390) **is adopted in toto as follows:**

* the **Motion to Vacate** (document #383), **Motion for**

Immediate Relief (document #384), **Motion for Relief** (document #385), **Motion for Hearing** (document #387), and **Motion to Amend** (document #388) are **denied**;

* the Clerk of this Court is directed to forward copies of all of the *pro se* filings made by Paul since February 7, 2013 to his counsel of record; and,

* the Clerk of this Court is directed to accept no further *pro se* filings by Paul in this matter until further notice by this Court.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE